

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,908	11/03/2003	lan Faye	. 2783	4365
	7590 07/26/2007 RIKER & STENBY		EXAM	INER
103 East Neck	Road	MERCADO, JULIAN A		
Huntington, NY	7 11743 •		ART UNIT	PAPER NUMBER
			1745	
	•			
			MAIL DATE	DELIVERY MODE
•			07/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No.   Applicant(s)   FAYE ET AL.				10
Examiner   Julian Mercado   1745		Application No.	Applicant(s)	
Julian Mercado   1745		10/699,908	FAYE ET AL.	
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Enderations for them may be available under the provisions of 37 FEH 138(i) in no event-however, may reply the timely field after SIX (8) MONTHS from the mailing date of this communication. In our ent-however, may reply the timely field after SIX (8) MONTHS from the mailing date of this communication. Fealths to reply within the sort or extended period for regive they stated, cause the application become BARADONEO (SU S. C. § 133). Any reply received by the Office later than them entitle after the mailing date of the communication, even it timely filed, may reduce any seamed plantim and adjustment. See 37 CFR 1.74(b).  Status  1) ☑ Responsive to communication(s) filed on 16 April 2007.  2a) ☑ This action is FINAL. 2b) ☐ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☑ Claim(s) 1.3.5-16 and 18 is/are pending in the application.  4) ② Claim(s) 1.3.5-2 and 11-16 is/are allowed.  5) ☑ Claim(s) 1.9 is/are rejected.  7) ☑ Claim(s) 1.0 is/are rejected.  7) ☑ Claim(s) 1.0 is/are rejected.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Application Papers  9) ☐ The specification is objected to by the Examiner.  Application Papers  9) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.121(d).  11) ☐ The coth or declaration is objected to by the Examiner. Note the attached Office Action or form PTC-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment	Office Action Summary	Examiner	Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of tense may be available under the provisions of 31 CPR 1.138(a). In one want, however, may a reply be available under the provisions of 31 CPR 1.138(a). In one want, however, may a reply to all minly find.  Extensions of tense may be availabled under the provisions of 31 CPR 1.138(a). In one want, however, may a reply to all minly find.  Extensions of tense may be available under the provisions of 31 CPR 1.138(a). In one want, however, may a reply to all minly find.  Extensions of tense may be available under the provisions of 31 CPR 1.138(a). In one want, however, may a reply to all minly find.  Extensions of the major tense of the provisions of 31 CPR 1.704(b).  Fallure to reply within the set or extended pended for reply will by estatus, cause the application to become abANDONED (32 U.S.C.§ 135). Replacement and particular tense of the communication of this communication, even if enough flevir, may reduce any of the communication of the provision of the major and plant in the provision of the				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the providers of 3° CPR 1.13(a). In no event, however, may a reply be finely filled.  1 If NO period for reply is specified above, the majoritum statutory period will apply and will expire \$1X; (8) MORTHS from the mailing date of this communication.  1 Pash to the reply within the set or exceeded period for reply is specified above, the majoritum statutory period will apply and will expire \$1X; (6) MORTHS from the mailing date of this communication.  1 Pash to the reply within the set or exceeded period for reply will be provided by the Office later than three maintens after the mailing date of this communication, even if smally fluid, may reduce any secure place that may discharted. Set 9° CPR 1.704(b).  Status  1) Responsive to communication(s) filled on 16 April 2007.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1:-3.5-16 and 18 is/are pending in the application.  4) Claim(s) 1:-3.5-16 and 18 is/are withdrawn from consideration.  5) Claim(s) 1:-3.5-9 and 11:-16 is/are allowed.  6) Claim(s) 1:-3.5-9 and 11:-16 is/are allowed.  7) Claim(s) 1:-3.5-9 and 11:-16 is/are allowed.  7) Claim(s) 1:-3.5-9 and 11:-16 is/are allowed.  8) Claim(s) 1:-3.5-9 and 11:-16 is/are allowed.  10) The drawing(s) filed on		pears on the cover sheet with the c	correspondence address	
1)⊠ Responsive to communication(s) filed on 16 April 2007.  2a)⊠ This action is FINAL. 2b)□ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s) 1.3.5-16 and 18 is/are pending in the application.  4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5)☑ Claim(s) 1.3.5-9 and 11-16 is/are allowed.  6)☑ Claim(s) 1.0 is/are objected.  7)☑ Claim(s) 10 is/are objected to.  8)□ Claim(s) 10 is/are objected to.  8)□ Claim(s) 10 is/are objected to by the Examiner.  10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)□ All b)□ Some * c)□ None of:  1.□ Certified copies of the priority documents have been received in Application No.  2.□ Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(e)  11□ Notice of References Cited (PTO-892)  22□ Motice of Draftsperson's Patent Drawing Review (PTO-948)  31□ Information Discobeure Statement(s) (PTO/SB/08)	A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period  - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin	ATE OF THIS COMMUNICATION  136(a). In no event, however, may a reply be tin  will apply and will expire SIX (6) MONTHS from  a, cause the application to become ABANDONE	N. nely filed the mailing date of this communica (D. (35 U.S.C. § 133).	
2a) ☐ This action is FINAL.  2b) ☐ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) 1-3.5-16 and 18 is/are pending in the application.  4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) ☐ Claim(s) 1-3.5-9 and 11-16 is/are allowed.  6) ☐ Claim(s) 10 is/are objected to.  8) ☐ Claim(s) 10 is/are objected to.  8) ☐ Claim(s) 10 is/are objected to by the Examiner.  10) ☐ The specification is objected to by the Examiner.  Application Papers  9) ☐ The specification is objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12] ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received in Application No	Status			
2a) ☐ This action is FINAL.  2b) ☐ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) 1-3.5-16 and 18 is/are pending in the application.  4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) ☐ Claim(s) 1-3.5-9 and 11-16 is/are allowed.  6) ☐ Claim(s) 10 is/are objected to.  8) ☐ Claim(s) 10 is/are objected to.  8) ☐ Claim(s) 10 is/are objected to by the Examiner.  10) ☐ The specification is objected to by the Examiner.  Application Papers  9) ☐ The specification is objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12] ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received in Application No	1) Responsive to communication(s) filed on 16 A	pril 2007.		
3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4   Claim(s) 1-3.5-16 and 18 is/are pending in the application. 4a) Of the above claim(s) 18 is/are withdrawn from consideration. 5   Claim(s) 1-3.5-9 and 11-16 is/are allowed. 6   Claim(s) 10 is/are objected to. 7   Claim(s) 10 is/are objected to. 8   Claim(s) 10 is/are objected to. 8   Claim(s) 10 is/are objected to by the Examiner. 10   The drawing(s) filed on is/are: a)   accepted or b)   objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11   The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119 12   Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)   All b)   Some * c)   None of: 1   Certified copies of the priority documents have been received. 2   Certified copies of the priority documents have been received in Application No 3   Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1   Notice of References Cited (PTO-892)   Paper Note)/Mail Date	· <u> </u>	•	·	
Application of Claims  4) Claim(s) 1.3,5-16 and 18 is/are pending in the application. 4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) Claim(s) 1.3,5-9 and 11-16 is/are allowed.  6) Claim(s) 1.0 is/are rejected.  7) Claim(s) 1.0 is/are objected to.  8) Claim(s) 1.0 is/are objected to.  8) Claim(s) 1.0 is/are objected to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) correction is required to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  3) Information Disclosure Statement(s) (PTO/S8/06)  5) Notice of Informal Palent Application	3) Since this application is in condition for allowa	nce except for formal matters, pro	osecution as to the merit	s is
4) ☐ Claim(s) 1-3.5-16 and 18 is/are pending in the application. 4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) ☐ Claim(s) 10 is/are rejected.  7) ☐ Claim(s) 10 is/are rejected to. 8) ☐ Claim(s) 10 is/are objected to. 8) ☐ Claim(s) 10 is/are objected to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Notice of Intornal Patent Application	closed in accordance with the practice under the	Ex parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.	
4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) □ Claim(s) 1-3.5-9 and 11-16 is/are allowed.  6) □ Claim(s) □ is/are rejected.  7) □ Claim(s) 10 is/are objected to.  8) □ Claim(s) 10 is/are objected to.  8) □ Claim(s) 10 is/are objected to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) □ Notice of Paferences Cited (PTO-882)  □ Notice of Informal Patent Application	Disposition of Claims			
4a) Of the above claim(s) 18 is/are withdrawn from consideration.  5) □ Claim(s) 1-3.5-9 and 11-16 is/are allowed.  6) □ Claim(s) □ is/are rejected.  7) □ Claim(s) 10 is/are objected to.  8) □ Claim(s) 10 is/are objected to.  8) □ Claim(s) 10 is/are objected to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) □ Notice of Paferences Cited (PTO-882)  □ Notice of Informal Patent Application	4) Claim(s) 1-3.5-16 and 18 is/are pending in the	application.		
5) ☐ Claim(s) 1-3.5-9 and 11-16 is/are allowed. 6) ☐ Claim(s) LO is/are rejected. 7) ☐ Claim(s) LO is/are objected to. 8) ☐ Claim(s) 10 is/are objected to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Altachment(s) 1) ☐ Notice of Portsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) 5) ☐ Notice of Informal Patent Application		• •		
7) Claim(s) 10 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of References Cited (PTO-982) 2 Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	· · · · · · · · · · · · · · · · · · ·			
Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Intomation Disclosure Statement(s) (PTO/SB/08)  Notice of Informal Patent Application	6) Claim(s) Lo is/are rejected.	,		
Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Intormation Disclosure Statement(s) (PTO/SB/08)  Notice of Informal Patent Application	7)⊠ Claim(s) <u>10</u> is/are objected to.			
9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)	8) Claim(s) are subject to restriction and/o	or election requirement.		
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)	Application Papers			
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)		er. ·		•
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)	,		Examiner.	
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)				
Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)	Replacement drawing sheet(s) including the correct	tion is required if the drawing(s) is ob	jected to. See 37 CFR 1.12	1(d).
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)	11) The oath or declaration is objected to by the Ex	xaminer. Note the attached Office	Action or form PTO-152	<u>).</u> .
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application	Priority under 35 U.S.C. § 119			
1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)  1 Information Disclosure Statement(s) (PTO/SB/08)		n priority under 35 U.S.C. § 119(a	)-(d) or (f).	
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  1 Notice of Informal Patent Application	1. Certified copies of the priority document	ts have been received.	•	
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)  * See the attached detailed Office action for a list of the certified copies not received.  4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application	2. Certified copies of the priority document	ts have been received in Applicati	ion No	
* See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)  * See the attached detailed Office action for a list of the certified copies not received.  4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application	3. Copies of the certified copies of the prior	rity documents have been receive	ed in this National Stage	
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)  4) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application	,	• • • • • • • • • • • • • • • • • • • •		
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application	* See the attached detailed Office action for a list	of the certified copies not receive	ed.	
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application			•	
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date.  5) Notice of Informal Patent Application				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application	Attachment(s)			
3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application				
	· <del></del>	6) Other:		•

Art Unit: 1745

#### **DETAILED ACTION**

#### Remarks

This Office action is responsive to applicant's amendment filed on April 16, 2007. Claims 1-3, 5-16 and 18 are pending.

# Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 in line 8 recites the limitation "at least one control means (5, 8, 11, 12, 13)" and in line 10 recites the limitation "at least a first (13) of said outlet openings". The claim is indefinite as the reference character (13) is used for both a control means and an outlet opening.

# Claim Rejections - 35 USC § 102

The rejection of claims 1-3, 9, 10, 13, 15 and 16 under 35 U.S.C. 102(e) based on Shimazu et al. (U.S. Pat. 6,783,877 B2) has been withdrawn.

In withdrawing this ground of rejection, the examiner notes the following: the amendment to claims 1 and 16 now incorporates the subject matter of claims 4 and 17,

Art Unit: 1745

respectively (and now canceled), and claims 5, 8, 14, has been rewritten in independent form including all of the limitations of the base and intervening claims.

### Allowable Subject Matter

Claims 1-3, 5-9 and 11-16 are allowed for the reasons already of record.

It is noted that species claims 6, 7, 11 and 12 depend from generic claims 1 and 5 which, by this Office action, are finally held allowable. Accordingly, the restriction of claims 6, 7, 11 and 12 has been withdrawn and these claims are herein rejoined.

Claim 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: to the extent that claim 10 is understood notwithstanding the 35 U.S.C. 112, second paragraph rejection (discussed above) and in view of the personal interview with applicant on April 10, 2007, the prior art of record does not teach or suggest the instant invention regarding a first outlet opening arranged upstream of a second outlet opening in a predetermined flow direction, the predetermined flow direction being defined as through the catalytically active reactor unit and to the second outlet opening. It is understood that the first outlet opening is downstream of the catalytically active reactor and upstream of the second outlet opening. In contrast, the closest prior art, that to Shimizu et al., teaches valves [88D, 89D, 90D] in parallel configuration.

Reference is made to Figure 10 of Shimizu et al.

Art Unit: 1745

# Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Mercado whose telephone number is (571) 272-1289. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 1745

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

PATRICK JOSEPH RYAN
SUPERVISORY PATENT EXAMINER